



DEPARTMENT OF ENVIRONMENTAL PROTECTION
Monthly Enforcement Report
for actions during February 2007
DISTRIBUTED: March 6, 2007

This report has been prepared to satisfy a statutory obligation DEP has to inform the public of certain enforcement resolutions. This report does not include summaries of the hundreds of compliance related activities occurring every month because it is impractical to capture a sampling of those activities that would be representative of that work. Please contact Peter Carney at (207) 287-4305 or Peter.J.Carney@Maine.gov for additional information regarding the activities listed in this report.

The following cases were resolved to achieve compliance with the law; remediate environmental damage; restore natural resources to appropriate conditions; and, impose and deter similar actions in the future.

Administrative Consent Agreements Approved by the Board of Environmental Protection and Department of the Attorney General (violation followed by location of violation):

All State Abatement Professionals, Inc., Wells, Maine. All State Abatement Professionals, Inc. ("All State") violated the Department's *Asbestos Management Regulations* while conducting an asbestos abatement activity involving the removal of 250 linear feet of asbestos-containing pipe insulation and 4000 square feet of asbestos-containing siding at a location on Route 1 in Wells. All State failed to submit a standard variance request to inform the Department of its intent to use a remote decontamination unit, failed to designate clothing worn under protective suits and footwear for asbestos use only, failed to use personal protective equipment while in the regulated area, failed to decontaminate prior to exiting the regulated area, and failed to have a signed copy of the project monitoring disclosure form at the work site. To resolve the violations, All State will pay \$3,000.00 as a civil monetary penalty.

R.J. Enterprises, Inc., Wiscasset, Maine. R.J. Enterprises, Inc. ("R.J. Enterprises") violated the Department's *Asbestos Management Regulations* while conducting an asbestos abatement activity involving the removal of 8,050 square feet of asbestos-containing floor tile at a location on Gardiner Road in Wiscasset. R.J. Enterprises failed to use respiratory protection and wear personal protective clothing while inside the regulated area and failed to decontaminate prior to exiting the regulated area. To resolve the violations, R.J. Enterprises paid \$3,000.00 as a civil monetary penalty.

Envirovantage, Inc., York Beach, Maine. Envirovantage, Inc. ("Envirovantage") violated the Department's *Asbestos Management Regulations* while conducting an asbestos abatement activity involving the removal of 3,300 square feet of asbestos-containing siding at a location on Hamlin Place in York Beach. Envirovantage failed to conduct a proper visual evaluation of the regulated area at the conclusion of the asbestos abatement activity. To resolve the violation, Envirovantage paid \$2,000.00 as a civil monetary penalty.

Interstate Brands Corporation, Biddeford, Maine. Interstate Brands Corporation ("IBC") violated conditions of the facility's Air Emissions License relating to the operation of fuel burning and process equipment associated with bakery operations at IBC's facility in Biddeford. IBC failed to operate emissions control equipment while operating bread ovens allowing uncontrolled emission of volatile organic compounds. To resolve the violation, IBC paid \$7,500.00 as a civil monetary penalty.

Darling's Bangor Ford, Bangor, Maine. Darling's Bangor Ford ("Darling's") violated Maine's rule for *New Motor Vehicle Emissions Standards* by selling a non-"California-Certified" car in Maine. To resolve the violation, Darling's paid \$1,100.00 as a civil monetary penalty.

OSJ of Belfast, LLC, Belfast, Maine. OSJ of Belfast, LLC ("OSJ") violated provisions of the *Maine Hazardous Waste, Septage and Solid Waste Management Act* and the Department's rules concerning *Identification of Hazardous Wastes, Standards for Generators of Hazardous Waste, and Licensing for Transporters of Hazardous Waste*. OSJ failed to manage approximately 300 mercury-containing lamps in a manner that prevented or



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minimized risk to the environment, failed to determine if mercury-containing lamps mixed with construction and demolition debris were hazardous, mishandled mercury-containing lamps resulting in breakage, failed to immediately contain and transfer all releases of waste and residues from spills or leaks of universal waste, failed to store universal waste in closed containers, shipped universal waste offsite without being accompanied by a Recyclable Hazardous Material Uniform Bill of Lading, and transported universal waste to a waste facility not authorized to handle universal waste. To resolve the violations, OSJ agreed to submit an environmental management plan subject to the Department's review and approval for the development and implementation of an environmental compliance program, and paid \$8,250.00 as civil monetary penalty.